

September 2, 2010

**OFFICE OF THE HEARING EXAMINER
CITY OF RENTON**

Minutes

OWNER: Renton Properties, LLC
2025 First Avenue, Suite 700
Seattle, WA 98121

APPLICANT: Mark Ludtka
Callison
1420 Fifth Avenue, Ste. 2400
Seattle, WA 98101

CONTACT: Keith Maehlum
Renton Properties, LLC
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Seattle, WA 98121

PROJECT NAME: Triton Towers Expansion
File No.: LUA08-117, ECF, SA-M, CU-H

LOCATION: 555 South Renton Village Place

SUMMARY OF REQUEST: Applicant has requested a Master Site Plan and a Conditional Use for the addition of four office buildings (TT-4 – TT-7) and one roof top Helicopter Pad to the Triton Tower office complex.

SUMMARY OF ACTION: Development Services Recommendation: Approve

DEVELOPMENT SERVICES REPORT: The Development Services Report was received by the Examiner on August 17, 2010.

PUBLIC HEARING: After reviewing the Development Services Report, examining available information on file with the application, field checking the property and surrounding area; the Examiner conducted a public hearing on the subject as follows:

MINUTES

*The following minutes are a summary of the August 24, 2010 hearing.
The legal record is recorded on CD.*

The hearing opened on Tuesday, August 24, 2010, at 9:00 a.m. in the Council Chambers on the seventh floor of the Renton City Hall. Parties wishing to testify were affirmed by the Examiner.

The following exhibits were entered into the record:

<u>Exhibit No. 1:</u> Project file containing the original application, reports, staff comments and other	<u>Exhibit No. 2:</u> Neighborhood Detail Map
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documentation pertinent to this request.	
<u>Exhibit No. 3:</u> Overall Site Plan	<u>Exhibit No. 4:</u> General Information
<u>Exhibit No. 5:</u> Fire Protection Coverage Diagram	<u>Exhibit No. 6:</u> Overall Phasing Site Plan
<u>Exhibit No. 7:</u> TT-4 Ground Floor Plan	<u>Exhibit No. 8:</u> TT-4 Office Floor Plan
<u>Exhibit No. 9:</u> TT-4 Roof Plan	<u>Exhibit No. 10:</u> TT-5 Ground Floor Plan
<u>Exhibit No. 11:</u> TT-5 Typical Office Floor Plan	<u>Exhibit No. 12:</u> TT-5 Roof Plan
<u>Exhibit No. 13:</u> TT-6 Ground Floor Plan	<u>Exhibit No. 14:</u> TT-7 Garage D Ground Floor Plan
<u>Exhibit No. 15:</u> TT-7 Garage D Ground Floors 2-4 Typical Plan	<u>Exhibit No. 16:</u> TT-7 Level 5 Floor Plan
<u>Exhibit No. 17:</u> TT-7 Levels 6-11 Floor Plan	<u>Exhibit No. 18:</u> TT-7 Roof Plan
<u>Exhibit No. 19:</u> Garages A/B/C Ground Floor Plan	<u>Exhibit No. 20:</u> Garages A/B/C Typical Floor Plan, Levels 2-5
<u>Exhibit No. 21:</u> Garages A/B/C Roof Plan	<u>Exhibit No. 22:</u> TT-4/TT-6 Elevations Sheet A-211
<u>Exhibit No. 23:</u> TT-4/TT-6 Elevations Sheet A-212	<u>Exhibit No. 24:</u> TT-4/TT-6 Elevations Sheet A-213
<u>Exhibit No. 25:</u> TT-5 Elevations	<u>Exhibit No. 26:</u> TT-5 East Elevations
<u>Exhibit No. 27:</u> TT-5 West Elevations	<u>Exhibit No. 28:</u> TT-7 Elevations. Sheet A-231
<u>Exhibit No. 29:</u> TT-7 Elevations. Sheet A-232	<u>Exhibit No. 30:</u> TT-7 Elevations. Sheet A-233
<u>Exhibit No. 31:</u> Garages A/B/C Elevations	<u>Exhibit No. 32:</u> Overall Landscape Plan
<u>Exhibit No. 33:</u> Overall Composite Civil Plan	<u>Exhibit No. 34:</u> Composite Civil Plan, Sheet C1.1
<u>Exhibit No. 35:</u> Composite Civil Plan, Sheet C1.2	<u>Exhibit No. 36:</u> Composite Civil Plan, Sheet C1.3
<u>Exhibit No. 37:</u> Composite Civil Plan, Sheet C1.4	<u>Exhibit No. 38:</u> Partial Site Plan Information
<u>Exhibit No. 39:</u> Overall Site Plan, Sheet A-100a	<u>Exhibit No. 40:</u> Overall Site Plan, Sheet A-100b
<u>Exhibit No. 41:</u> Overall Site Plan, Sheet A-100c	<u>Exhibit No. 42:</u> Overall Site Plan, Sheet A-100d
<u>Exhibit No. 43:</u> TT-4/TT-6 Building Sections	<u>Exhibit No. 44:</u> TT-7 Garage D Building sections
<u>Exhibit No. 45:</u> Aerial Photo from LandInfo Mapping System	<u>Exhibit No. 46:</u> Resumes of applicant's team

<u>Exhibit No. 47:</u> Highlighted Map Showing PSE Easement Around Site	<u>Exhibit No. 48:</u> Flood Map
<u>Exhibit No. 49:</u> Map Showing Pervious/Impervious Surfaces	

The hearing opened with a presentation of the staff report by Vanessa Dolbee Senior Planner, Community and Economic Development, City of Renton, 1055 S Grady Way, Renton, Washington 98057. There were two notes prior to starting: the project is vested in October 2008, all of the codes referenced in the report and as presented would be reflective of the standards of 2008 and as with the original application, the applicant requested an additional floor on top of the parking garages in a skybridge that would connect that floor to Triton Tower Building 5, which has been removed from the proposal, all numbers do reflect the correct numbers.

The site is comprised of four lots totaling 21.09 acres. Each lot has an existing office tower on it currently with the exception of the smallest lot which has just parking. There is a small parcel along Talbot Road that is owned by PSE. The site is zoned Commercial Office (CO) and is located in the Commercial Corridor Land Use Designation.

The project is bound on the north by South Grady Way, on the south is I-405, to the east is Talbot Road South and to the west is the Renton Village Shopping Center. There is a road that runs through the center of the development called South Renton Village Place which connects Talbot Road to Renton Village Shopping Center.

Five Phases have been proposed for the development of the site. Phase I would be Triton Tower 6 and Parking Garage C, Phase II would be Triton Tower 5 and Parking Garage B, Phase III would be Parking Garage A, Phase IV would be Triton Tower 4, and Phase V would be Triton Tower 7 and Parking Garage D.

This development would result in 1,137,129 gross square feet of office space or 892,021 net square feet. The existing three towers have a total 433,419 gross square feet of office space. The overall site would result in 3,212 total parking spaces. The new parking garages would house 2,145 parking spaces and 1,067 would be surface parking stalls.

There is 111,413 square feet of existing landscaping that would be retained with the addition of 39,900 square feet of new landscaping.

Access to the project is proposed to remain as it exists today.

There is a Class 3 stream located on site, Rolling Hills Creek located in the southwestern corner by the existing Triton Tower 1 as well as some flood hazard zones. All proposed new buildings would be above the base flood elevation identified by that flood zone.

The Environmental Review Committee issued a Determination of Non-Significance – Mitigated with 9 measures. No appeals were filed.

Master Site Plan Review Criteria:

The majority of this project is consistent with most of the applicable Comprehensive Plan Policies. Policy LU-261 suggests that commercial space should be located on the ground floor of commercial structures. At this point, specific office users have not been identified for the proposed new towers. Without detailed users for the specific towers, it is unsure what the retail uses would be to support that office use. This should be looked at during the planning review stage.

Policy LU-264 suggests that there should be uniform standards with parking, landscaping, signage and lighting. The majority of the development does meet this criteria, however there is parking along Talbot Road on the east side as well as a large surface parking lot on the west southern corner by the stream. In front of proposed Triton Tower 4 there is a drive aisle before exiting onto the road. The majority of the surface parking is located in areas that have issues in terms of the flood zone as well as high voltage power lines and electrical easements that run across the site that does not allow for structures to be built underneath. A good use of those areas is surface parking and that is what the applicant has proposed.

There are three other policies that are not directly met; LU-269, CD-36 and CD-37. These policies ask for some sort of public amenity or park feature that would support the development. As proposed there currently is no open space or amenity feature, therefore the applicant should provide a public amenity feature such as a park, recreation area or some form of open space to be approved by the planning project manager.

Regarding lot coverage and setbacks, the building coverage proposed with existing and proposed buildings, results in 30.8% coverage which complies with the permitted coverage. As to the setbacks, parking garage D should be set back an additional 10-feet and screening landscaping should be provided between the structure and the sidewalk or architectural detailing should be provided along the front facade of the parking garage to screen the building from the sidewalk. The remainder of the project does comply with the setback standards.

The height standards have been met, however this property is located in the Airport Influence Area and Safety Compatibility Zone 6, which adds additional height restrictions. All buildings would be below the FAR PART 77 air space for the Renton Municipal Airport and would comply with all other regulations.

The site currently contains 326 trees with a diameter over 6-inches, 222 would be retained, making the project comply with tree retention standards. All new landscaping strips would comply with the 15-foot wide sight-obscuring landscaping requirement.

Based on the proposed 406 new surface parking stalls and including the existing parking stalls, the submitted landscape analysis indicates that a total of 47,073 square feet of landscaping would be provided on site, which exceeds the minimum requirement. A detailed landscape plan and irrigation plan needs to be submitted and approved prior to building permit approval. The applicant has requested a parking modification for the reduction in parking spaces for the site. The more limited supply of on-site parking would encourage employees and visitors to carpool and use alternative modes of transportation. The City's parking regulations have been modified since project vesting, as such the applicant would be in compliance with the existing standards pursuant to current code. The reduction in parking would be the minimum to implement the policies of the Comprehensive Plan and would meet the objectives of safety, function, appearance, environmental protection as intended by the code requirements and would not create adverse impacts to other properties in the vicinity. Parking stall sizes were not identified on the plans and a detailed parking plan identifying compact, standard, and ADA spaces at a ratio of 2% of the total spaces for each phase of development shall be submitted for approval at Site Plan Review.

Overall the development meets with the minimum size requirements for the refuse and recycling areas. When it is broken down by phases, Phase 2 and Phase 5 independently are insufficient. The applicant does ask for

flexibility in terms of the phases. Each phase should independently comply with the minimum standards for refuse and recycling. All refuse and recycling areas are proposed to be on the interior of the structures.

There is a residential neighborhood to the south across I-405, which does have views of the site as well as downtown Renton. The ERC determined that their views would be minimally impacted however, they would have clear views of the rooftops of the new towers. The applicant has proposed a screening detail for the rooftop mounted equipment. The scale, height and bulk of the proposed buildings are appropriate for the site. The buildings would have a number of architectural features, materials proposed to be used include aluminum panels, glazed curtain walls, point fixed glazing with aluminum trim detail, solar shades, aluminum fins, composite planes, metal panels, windows and operational windows. The parking garages would use metal and glass to create false storefronts on the first floor in addition to using stone tile or terra cotta treatment as proposed for the office buildings. Parking Garage D would be visible from a number of surrounding properties and has not proposed false store fronts or stone along the front or side facades. This garage is the most visible and because of that the east side of the parking garage would have some architectural detail or screening feature.

A quality pedestrian circulation system is necessary for the development, pedestrian safety is a concern as well, therefore pedestrian walkways and crosswalks are clearly identified throughout the site and a different type of material should be used from the drive aisles and surface parking lots.

Since parking garages A-C appear to have the largest amount of traffic and vehicles parking in them, there are three pedestrian exit points identified as two on the west side and one on the east side. A new parking garage floor plan should be submitted that shows additional exit points and pedestrian connections to the office towers where there are none.

There would be no impact on light and glare in terms of the inside of the site. There is space provided between all the towers and there would be some impact on the existing buildings as the new towers on the west would block some of their views and light. A lighting plan was not provided and one should be submitted prior to building permit submittal.

The most significant noise, odors and potentially harmful impacts would occur during the construction phase with the exception of the proposal of the helicopter landing pad. That would have some periodic noise, however the proximity of I-405 and the Renton Municipal Airport, the noise would be minimal.

Fire, Police and Traffic mitigation fees were imposed by the ERC.

The site is served by the City of Renton for all utilities.

Conditional Use Permit Criteria:

There are 11 criteria to be considered when making a decision on the Conditional Use application.

There is not an over-concentration of helicopter ports within this area of the City, the site is suitable for a helicopter landing pad because of its proximity to I-405 and the Renton Municipal Airport. There is no specific community need for the heliport, it is specifically designed to support the office complex. The project does comply with the lot coverage, setbacks and height. The helipad does not add any additional height to the building and the buildings have previously been evaluated as compatible with the surrounding neighborhood, there could be potential noise to the Talbot Hill neighborhood however, the project is located within the traffic pattern zone of the Renton Municipal Airport, there are already a number of jets, planes and helicopters that pass over head on a regular basis. The helipad would most be used during the weekday with infrequent rare occurrences during the weekend and night. The helipad is an accessory use to the permitted office use and as

such is permissible. The helipad would be located on the roof of a new building that would be subject to the building codes as standard. Further no additional public improvements, facilities, utilities or services would be required for the helipad.

Mark Ludtka, 1420 5th Avenue, Ste. 2400, Seattle, WA 98101 stated that he was the architect for the project. His role was to help with the planning and designing of the appropriate architecture.

Once the site plans are fixed and approved, specific building elements will be brought forward for review and approval. Regarding the question of reflectivity, one of the benefits of this site is that while it sits in the valley, there is a hill that is to the east, as the sun rises it has to get to the top of the hill before it can start to cause reflections and because of the angle of the sun the reflection will follow downward and towards the ground as opposed to upward and out towards the sky. They will be evaluating the specific materials of the site to minimize any reflective nature that could cause an issue to surrounding properties.

The PSE easement limits the perimeter activity in the placement of the buildings, as one moves to the southern portion of the site there is only one place that a building structure could be placed between all the power easements.

Public amenities would be worked through with the specific occupants of the buildings and their specific needs. The concept was to create a small village or neighborhood that would allow the buildings to interact with one another and the participants of the buildings to engage with one another. The main center of the site would make it both pedestrian friendly as well as allow the vehicles to circulate through. There is an opportunity to create a plaza area. They have looked at providing green roofs and allow access, this will need to be further evaluated due to climatic conditions.

Regarding access out of the main garage and access to the various buildings they agree access needs to connect to all buildings and they will work on that. They would like flexibility on the locations of refuse and recycling sites. There may be collection areas in each of the buildings that would then be moved to a larger refuse area, the plan is to have a refuse area in each of the buildings.

There is a reciprocal agreement with adjacent landowners for service vehicles. The plan is to make the site as pedestrian friendly as possible, the area adjacent to the main north/south line as well as the roads running in the east/west direction would have adequate sidewalks with street trees and lighting to allow the pedestrians to move through that area. Where there is a connection to a garage that area would be enhanced, there will also be areas where elevators can be accessed for garage use.

Retail spaces that would be complementary to the users is difficult to plan until the specific users have been identified, the existing shopping center is so close to the site that it would be highly beneficial to utilize those facilities. To augment that there most likely would be some coffee houses or a deli. There could be some strategic locations in each of the ground floors of the office buildings, small and part of that building inwardly focused to the specific users.

John Turcott, 10024 Main Street, Ste. 2A, Bothell 98011 stated that he is the civil engineering support at a conceptual level. They support and have no objections the conditions of approval or the mitigated determination.

The composite civil plan shows that water has an existing 10" water main located in the adjacent shopping center, a 24" main located in Talbot Road South and a 12" main in Renton Village. They are proposing to loop all of the buildings with new 12" water main connecting to those existing points.

There is on-site sewer service that connects to 12" sewer mains in both Renton Village and Talbot Road South. Storm drainage flows from north to the southwest towards Rolling Hills Creek, two discharge locations are proposed. The north half of the project would discharge to an existing connection point and discharges to Rolling Hills Creek, the southern portion of the project would discharge to an existing storm drainage system that has an outfall to the creek itself. As to the flooding issues, the buildings are 2-5 feet above flood level. The project will replace surface parking with garages an open space with buildings. The total proposed pervious area is increasing over the existing condition

Dan McKinney, Jr., 11730 118th Ave NE, Ste. 600, Kirkland, WA stated that he produced the report dated October 2009 on the Traffic Impact Analyses. They work with the design and project team to evaluate the impacts and understand the development that is going on. Once there was a clear understanding of what the development was they initially estimated how much traffic would be generated by the site, how much parking would be needed and then they coordinate with the City staff. They identify the scope of their analysis, which intersections they would study, which impacts they would evaluate and determine ways to mitigate that. They also worked with the DOT. They would then forecast out future traffic operations by looking into the future without the project and then overlay the project impacts on top of that to determine a net impact from the new development. The site appeared to be going to generate 1,246 new p.m. peak hour trips, the outcome of the analysis was that there was no major impacts to traffic operations and circulation with the exception of the intersection of Renton Village Place where that meets the new interchange south bound off ramp from I-405. The TDM report assumed a relatively high trip generation for this site, the purpose of the report is to project alternative ways of travelling besides by automobile and at the same time providing amenities to those people that chose these alternative means of transportation. Most sites with incentives can reduce traffic impacts on average of 24%. Through that condition, the developer would coordinate with the City to make sure that the transportation demand management program as outlined meets the City's concerns and is monitored.

The same was true with parking and parking generation analyses, with that it is anticipated that parking would be reduced and that the site would adequately meet parking needs with TDM measures in place.

The other mitigation measure talked about was the internal pedestrian circulation plan. As the site evolves and comes for review, details can be worked out to make sure there is proper safe and efficient circulation for pedestrians.

Jack McCullough, 701 5th Avenue, Ste. 7220, Seattle 98104 stated that from the applicants point view, one of the exciting things about this project represents the next logical evolution of land use here in this increasing urbanizing portion of Renton from the original implementation of Triton Towers with buildings set with surface parking and now moving to greater heights and more efficient intensity use of the land with structured parking. The phasing has not been set as yet and as such did ask for the acceptance of the 5-year maximum term of the Master Site Plan.

The conditions recommended by the City are acceptable to the applicant. This is a conceptual level review and so several of the conditions require the applicant and the City at the site plan review to deal with issues like light and glare, the final landscape plan and the final location of the pedestrian paths. There is more than adequate area on the site to accommodate all of that, they do not anticipate that there would be any issues.

On the review of the helipad and the criteria of community need and whether there is a community need for the helipad itself, there are two views on this issue, the language of the code itself focus on not resulting in a detrimental overconcentration of a particular use in the area and that the location is suited for the proposed use. It doesn't focus on the concept of whether there is an identified need for individuals in the community to come take advantage of this conditional use. The concept of a need generally pertains to churches and schools that may or may not be used by individuals of the community but serve a broader need. If you look at the broader

need, this site plan is intended to implement the City's Comprehensive Plan and is intended to bring jobs and a significant number of jobs to a location where the City wants to see them located, jobs that will satisfy a community need relates to this conditional use application. It is an accessory use application, the helipad would only be used in connection with whatever employment type use is actually located at the Triton Towers center. It is intended to support the community need for jobs at this location. There are some employers that require the use of helicopters, it is not as prevalent in the Greater Seattle area as it may be in other urban centers. They have identified some potential employers that will need to rely on the accessory use of the helicopter and that it will make this site more attractive in the region for jobs.

The application for the helipad is a very limited one, it is accessory and it not open to public use and therefore the frequency of use is going to be limited largely to daytime hours.

Kayren Kittrick, Community and Economic Development stated this project has been coordinated with WSDOT and they are still working on limited access and how much it will affect this area. Everything that is being proposed is outside of the major limits and that is all to the good.

The flooding issue was a problem before, but the City of Renton did install new facilities there to mitigate that, City has ongoing projects in the Panther Creek area that is supposed to help even further.

Transportation, WSDOT and all the utilities are aware that this is coming and everyone seems to be very pleased with this project.

The **Examiner** called for further testimony regarding this project. There was no one else wishing to speak, and no further comments from staff. The hearing closed at 10:36 a.m.

FINDINGS, CONCLUSIONS & RECOMMENDATION

Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. The applicant, Mark Ludtka for Renton Properties, filed a request for a Master Site Plan approval and Conditional Use Permit for an expansion of an office complex, parking garages and helicopter pad. The applicant also requested a Modification from the parking requirements to provide fewer stalls than mandated by code.
2. The yellow file containing the staff report, the State Environmental Policy Act (SEPA) documentation and other pertinent materials was entered into the record as Exhibit #1.
3. The Environmental Review Committee (ERC), the City's responsible official issued a Determination of Non-Significance - Mitigated (DNS-M).
4. The subject proposal was reviewed by all departments with an interest in the matter.
5. The subject site is located 555 South Renton Village Place. The subject site is located east and south of the Renton Village Shopping Center southwest of the intersection of Talbot Road South and South Grady Way. The site straddles South Renton Village Place and is bounded on the south by I-405.
6. Three existing office towers identified as Triton Towers 1 to 3 (TT 1 to 3) are located on the subject site. TT1 is located in the southwest area of the site immediately south of Renton Village Place. TT2 is

located in the southeast corner of the parcel located north of Renton Village Place and west of Talbot. TT3 is located in the northeast corner of the site southwest of the intersection of Talbot and Grady.

7. The applicant proposes developing four (4) new eleven-story office towers and four multilevel parking garage structures. A helicopter pad is proposed for the roof of one of the new office towers. (see below)
8. The map element of the Comprehensive Plan designates the area in which the subject site is located as suitable for the development of Commercial Corridor uses, but does not mandate such development without consideration of other policies of the Plan.
9. The subject site is currently zoned CO (Commercial Office).
10. The subject site was annexed to the City with the adoption of Ordinance 1547 enacted in June 1956. The Staff report had an incorrect annexation reference.
11. The subject site is approximately 21.09 acres or 918,471 square feet. The subject site consists of two irregularly shaped parcels separated by Renton Village Place right-of-way.
12. The subject site is essentially flat.
13. The extreme southwest corner of the site, now used for parking for TT1, contains two areas identified on FEMA maps as flood hazard areas "A" and "AH." The finished floor elevations of any new structure will be located above the flood zone elevations shown on the FEMA maps. Staff reported that none of the new structures would displace flood waters. A tributary of Rolling Hills Creek as well as the creek proper run along the southern boundary of the subject site. Rolling Hills Creek is a Class III stream and would have a 75 foot buffer. The area is also mapped in a seismic hazard area.
14. The subject site also lies in the "Airport Influence Area and Safety Compatibility Zone 6" for Renton Municipal Airport. The overlay restricts buildings within the zone to no taller than 182 feet Mean Sea Level. None of the proposed structures would exceed this height.
15. A number of power lines cross the subject site. A line runs east to west across the north end of the site adjacent to Grady Way. Another line runs along the eastern edge of the site adjacent to Talbot Road. Additional lines run east to west on either side of Renton Village Place converging southwest of TT1.
16. There are currently 326 trees with a diameter of over six inches (6"). The applicant proposes to retain 222 trees whereas code would only require the retention of 17 trees. The applicant will be adding 125 new trees. Code requires protective steps so that construction does not injure or kill retained trees. Tree and general landscaping measures will be discussed below.
17. The applicant proposes five (5) phases for the project. The applicant did not provide dates for beginning or completing any particular phase and the applicant has asked that the phasing currently specified be subject to change. Staff made a point of stating that each phase, no matter what the order, would have to provide its essential elements including parking and garbage and recycling stations. The phases as noted by staff are as follows:

Trion Towers Phasing Plan					
Phase	New office, net square footage	New + Existing Office Space (total for site)	New Parking Structures	Total Parking Stalls	Parking Stalls/1000 SF of total net office space
Phase 1	TT-6, 225,487 SF	576,987 SF	Garage C, 162,600 SF, 5 Stories	1,587	2.75
Phase 2	TT-5, 294,720 SF	871,707 SF	Garage B, 162,600 SF, 5 Stories	1,984	2.3
Phase 3	N/A	871,707 SF	Garage A, 252,600 SF, 5 Stories	2,367	2.7
Phase 4	TT-4, 225,487 SF	1,097,195 SF	N/A	2,997	2.73
Phase 5	TT-7, 146,327 SF	1,243,521 SF	Garage D, 80,589 SF, 5 Stories	3,212	2.58

18. The buildings and garages will be described in the order as currently phased, again, noting that the applicant would prefer being able to change the order of development. All of the office buildings will be eleven-stories (11) and all of the garages would be five-stories (5). Phase 1 would include TT6 and Garage C. The building would be located directly west of TT3 and just south of Grady Way. TT6 would be oriented with its long axis in the east-west direction. The building would contain 225,487 square feet. Garage C would be located south of TT3 and would contain 162,600 square feet.
19. Phase 2 would include TT5 and Garage B. The building would be located generally south of TT6 and east of the rear of the Renton Village Center's easternmost buildings. TT5 would be oriented with its long facades running north-south. The building would contain 294,720 square feet. Garage B would be attached to the south wall of Garage C and would contain 162,600 square feet.
20. Phase 3 would not provide any new office space but would include Garage A. Garage A would be attached to the south wall of Garage B but extend further to the east and would contain 252,600 square feet.
21. Phase 4 would include TT4 but no additional garage space utilizing the parking spaces already created. Building TT4 would be located generally south of TT6 and also east of the rear of the Renton Village Center's easternmost buildings. It would be identical to TT 6 and again be oriented with the longer facades running east-west. The building would contain 225,487 square feet.
22. Phase 5 would include TT7 and Garage D. The building would be located generally east of TT1, located south of Renton Village Place and south of TT4. Building TT7 would be the smallest of the series and would contain 146,327 square feet. Garage D would be directly east of TT7 (again, south of Renton Village Place) and would contain 80,589 square feet.

23. Viewed from above or from the south, all four new buildings would generally be aligned immediately one behind the other in one axis: TT7 followed by TT4, followed by TT5 and ending in the north with TT6. Similarly, the garages are also generally aligned in one rank, north to south and also with the existing alignment or placement of TT2 and TT3. The order from the south would be Garage D, TT2, Garages A, B and C (attached one to the other) and then TT3. The applicant's concept is to limit the spread of the buildings and limit the potential view blockage.
24. The development of the project will replace existing surface parking with the new office buildings and garages. As the surface parking is reduced and new development constructed, the parking complement will change and the ratio of stalls to net office space will decrease or increase arriving at a buildout ratio of 2.58 stalls per 1,000 square feet of office space. The ultimate development will provide 3,212 stalls including 2,145 garage stalls and 1,067 surface stalls. Staff calculated that the total development, the existing three towers and the four new towers will have 1,243,500 square feet requiring 3,731 stalls. The applicant has requested a modification to permit the parking to have 519 fewer stalls than required. The Master Site Plan does not provide adequate information to determine if the stall dimensions meet code and the applicant will have to comply with code requirements. No details were provided at this stage of review for lighting of the parking areas. Such details will need to be provided for review.
25. A Transportation Demand Management (TDM) program was required by the ERC which is intended to reduce the parking demand as well as traffic generated by the project. The TDM is one basis for reducing the proposed parking complement. The TDM is intended to reduce traffic by 24% and a reduction in parking is intended to discourage employees from driving since there would be fewer parking stalls available for commuters. Additionally, staff noted that Code has recently been amended to reduce the parking ratio to 2 stalls per 1,000 square feet of office space.
26. Lot coverage for the office buildings and garage will be approximately 30.8 percent which is below the CO Zone's permitted 65 percent for a lot with both structured and surface parking. The CO Zone requires setbacks of 30 feet for the front yard or from streets in a side yard. The buildings comply with this setback. A 15 foot side yard setback on the west and the Zero setback from 3rd party property on the east (east of Garage A) meets the Zero setback required for a non-street side yard. A 10 foot landscape setback is required along I-405 and will be provided. Garage D is setback 20 feet from Renton Village Place which is 10 feet too close but Code does permit the setback to be reduced as part of Master Site Plan review. Staff recommended additional landscaping or architectural detailing be provided along the reduced setback facade. Building height permitted in the CO Zone is 250 feet but this site is also limited by the Airport Overlay to 182 feet. The office towers would be 150 feet and the garages 60 feet complying with both the height and airport limits.
27. The CO Zone requires 15-foot wide landscaping along street frontages. The applicant proposes utilizing the existing landscaping of the subject site in which perimeter landscaping already exists. Interior landscaping in some areas will be replaced with new structures. The applicant proposes a net gain of approximately 100 square feet of new landscaping by retaining 111,413 square feet removing 39,800 square feet and then adding an additional 39,900 square feet for a total 151,313 square feet. The parking area also requires landscaping at a rate of 35 square feet for each stall in parking areas of this size. For the new outdoor stalls and the existing stalls the applicant will be providing 47,073 square feet of landscaping, whereas 37,345 square feet would be required. In addition, one (1) tree is required for every six (6) stalls. The applicant proposed 146 trees, both new and existing, whereas only 68 trees would be required. Detailed ground cover information was not provided at this stage of development but will be required.

28. Access will continue to be provided by the existing curb cuts including those from Renton Village Place, access points including Grady and Talbot and two access points to the neighboring shopping center. Access to the garages will be from the internal driving aisles and not directly from surrounding streets. Drive aisles will be two way. Pedestrian access will be via internal paths and the sidewalks along the streets. Staff recommended that pedestrian paths be delineated and entrances to the garages be increased to allow access from additional directions and not just the west.
29. Staff noted that while the overall requirements for garbage and recycling appears to meet code requirements, it appears that if the phases are developed independently, Phase 2 and Phase 5 would not comply with those standards. Staff also noted that access to these areas will have to comply with Code and hauler requirements.
30. The office buildings will be designed to share common design elements to create a coherent complex. The ground floor facades would be detailed with stone tile or terra cotta treatment around the windows. Metal and glass canopies would be over the windows in all but TT5. The main entrances would have larger, more pronounced canopies. TT5 would use modulation to define its entrance. TT4 and TT6 are designed to match each other. The general facade treatments would consist of aluminum panels, glazed curtain wall, aluminum trim and fins, solar shades, and operating windows. The garages would be designed to complement the office buildings with the ground level designed to mimic storefronts. The upper levels have metal panes and green screening. Staff noted that Garage D, visible from Renton Village Place and Talbot was not designed with similar elements. It is also the garage which does not meet the normal 30 foot setback. Staff recommended its street facades (east and north) be upgraded with street level detailing matching the other garages.
31. It is estimated that approximately 4,000 new employees would be housed in these buildings. These employees would probably generate increased demand for services from the surrounding businesses. At this conceptual level the applicant has not indicated whether retail uses might be housed in any of the new buildings to offer additional services to employees.
32. The applicant has proposed placing a helicopter pad on the roof of TT5. It would be a private helicopter pad for a potential tenant in the complex and not provide public transport. Staff presumed that the helicopter pad would not add appreciable noise. The applicant noted I-405 and the flight path for the airport already add to the ambient noise levels in the area.
33. The development will increase traffic generating approximately 1,246 new P.M. peak hour trips. The analysis shows that the impacts can be accommodated by the existing street system. I-405's new ramps will be aligned with Renton Village Place.
34. Stormwater improvements have been made with the reconstruction of I-405 which are anticipated to reduce problems that have occurred in this area. Storm drainage facilities are located in Renton Village Place, Grady Way and Talbot Road.
35. Sewer and water mains are located in surrounding streets.
36. The original proposal included a skybridge. While that aspect of the proposal has been eliminated and is not part of the proposal under review, some exhibits still reflect that feature. It has not been reviewed by staff and this office will not be considering it further.
37. Staff pointed out that some of the parking is located on the perimeter of the subject site whereas the

comprehensive plan suggests parking be located interior to the site behind or to the side of buildings. Staff noted that much of the perimeter of the site was already developed under prior standards and constraints imposed by the various powerlines leave those perimeter portions of the property unsuitable for structures but suitable for parking. Alignment of new buildings with the existing buildings and each other also determined some of the placement.

38. As noted, staff noted that a public plaza or similar amenity had not been provided. The applicant indicated that they can provide such a feature in the more detailed site planning that will occur.
39. The taller buildings could create light, glare or reflections on I-405 or the uses south of I-405. Renton Hill's topography could ameliorate some of those issues.
40. The proposal was vested to development standards in October, 2008 and was reviewed under those standards even if newer standards would now be applicable to the subject site.

CONCLUSIONS:

Master Site Plan Review

1. The site plan ordinance provides a number of specific criteria for reviewing a site plan. Those criteria are generally represented in part by the following enumeration:
 - a. Conformance with the Comprehensive Plan;
 - b. Conformance with the Building and Zoning Codes;
 - c. Mitigation of impacts on surrounding properties and uses;
 - d. Mitigation of the impacts of the proposal on the subject site itself;
 - e. Conservation of property values;
 - f. Provision for safe and efficient vehicle and pedestrian circulation;
 - g. Provision of adequate light and air;
 - h. Adequacy of public services to accommodate the proposed use;

The proposed use satisfies these and other particulars of the ordinance.

2. The proposed addition of four new office towers and associated garages is compatible with the goals and policies of the comprehensive plan. The plan suggests concentrated urban development along the Grady Way corridor and more efficient use of vacant or underdeveloped areas. The plan also suggests enhanced building forms and urban texture. The new buildings, although still conceptual in some design facets, appear well-designed and provide an opportunity for development in place of acres of surface parking. Parking structures will contain much of the parking, again, allowing urban forms and the reduction of surface parking.
3. The office buildings and garages all provide appropriate setbacks with the exception of Garage D and

even there, Code permits reduced setbacks if the garage contains sufficient and interesting design details and landscaping. Staff recommended conditions for enhancing the trim and supplementing the landscaping for Garage D. The buildings at 150 feet tall are substantially below the 250 foot height limit of the CO Zone and also comply with airport safety requirements. The applicant has sought a modification to allow a reduction in parking and that will be discussed below. The Master Site Plan remains somewhat conceptual and full details of the buildings would be reviewed when individual buildings or phases are submitted for review. At that time, compliance with Building and Fire Codes would also be determined.

4. The addition of four new eleven-story buildings and four parking garages will obviously have an impact with increased traffic, general hubbub and some obstructed views. The proposed helicopter pad and its activities could definitely introduce additional noise into this area. (see below for Conditional Use Permit discussion). Both the Zoning Code and comprehensive plan permit such increased development of the subject site and to some extent predicted or accepted these additional impacts. The most substantial noise aspects would probably occur during construction and with phasing they could be drawn out over a number of years.
5. The plan appears to mitigate impacts to the site with increased landscaping, decreased surface parking and reasonable spacing between buildings. Obviously, if the complex were constructed on a normal city block, some buildings might be immediately abutting one another but others would be separated by a more generous street thoroughfare. The plan moves in the direction of increased urban density and proximity of buildings to one another cannot be totally avoided. The consolidated parking garages, A, B and C, will present a rather long facade that could use additional detailing in vertical elements if not outright modulation. The applicant will also be adding some additional landscaping and protecting many of the existing larger trees.
6. The redevelopment of the site should conserve property values. It should increase the commercial activity in the nearby shopping center and the general downtown shopping district.
7. Staff has recommended that additional garage access be provided on the north and south facades of the consolidated central garage to allow pedestrians to gain easier access to the office towers north and south of that structure. Staff also suggested creating clearly delineated walks across the internal roadways and interconnecting the buildings and garages. The vehicular circulation will access garages from internal roadways which will take traffic off the public streets when trying to enter these garages. It appears that circulation is safe and efficient once pedestrian paths are more clearly defined.
8. As noted, the buildings will replace what is now "open space", that is surface parking. Eleven-story buildings will also change the complexion of the subject site. The existing towers will be more hemmed in but still have access to light and air. It will create a more closed campus but there is still reasonable separation.
9. Staff reports that adequate urban services such as water and sewer are available to serve the proposed new buildings. Stormwater issues have been addressed by improvements and recent changes along I-405.

Parking Modification Review

10. The applicant has requested a modification to allow reduced parking to serve the subject site. The

criteria governing such a request are contained in RMC 4-9-250D2):

- a. Substantially implements the policy direction of the policies and objectives of the Comprehensive Plan Land Use Element and the Community Design Element and the proposed modification is the minimum adjustment necessary to implement these policies and objectives;
- b. Will meet the objectives of safety, function, appearance, environmental protection and maintainability intended by the Code requirements, based upon sound engineering judgment;
- c. Will not be injurious to other property(s) in the vicinity;
- d. Conform to the intent and purpose of the Code;
- e. Can be shown to be justified and required for the use and situation intended; and
- f. Will not create adverse impacts to other property(s) in the vicinity.

11. The proposed phasing will alter the parking ratio as surface parking is replaced with office buildings and structured garages. Code currently requires 3 spaces for each 1,000 square feet of office space. At one point during the redevelopment staff has calculated that parking might drop as low as 2.3 spaces per 1,000 square feet of office space. In order to satisfy Code a reduction is permitted but subject to a modification review. There are a number of factors which suggest that the modification is appropriate. The ERC required a Transportation Demand Management Program that requires a 24% reduction in commuting by additional carpooling and other commute reduction programs or incentives. Reduced parking on the expanded campus would serve to discourage driving and encourage other forms of commuting. Further and in a reverse nod to the vesting that the applicant has used to advantage for most of the project, the City reduced the code requirements for parking. The ratio is now 2 spaces per 1,000 square feet of office space. This reduction would seem to suggest that the proposed modification from the code the applicant is complying with, the October, 2008 Code, is appropriate. If the applicant were to reapply for the proposal at this juncture, it would be entitled to the reduced parking sought. As proposed, approving the modification should not adversely affect property in the vicinity and reduced traffic should actually benefit all who use the nearby roadways. The modification is appropriate and is approved.

Conditional Use Permit

12. The applicant for a Conditional Use Permit must demonstrate that the use is in the public interest, will not impair the health, safety or welfare of the general public and is in compliance with the criteria found in Section 4-9-030 (G) which provides in part that:
- a. The proposal generally conforms with the Comprehensive Plan;
 - b. There is a general community need for the proposed use at the proposed location;
 - c. There will be no undue impacts on adjacent property;
 - d. The proposed use is compatible in scale with the adjacent residential uses, if any;

- e. Parking, unless otherwise permitted, will not occur in the required yards;
- f. Traffic and pedestrian circulation will be safe and adequate for the proposed project;
- g. Noise, light and glare will not cause an adverse affect on neighboring property;
- h. Landscaping shall be sufficient to buffer the use from rights-of-way and neighboring property where appropriate; and
- i. Adequate public services are available to serve the proposal.

The requested conditional use is not necessarily justified.

- 13. While nothing dictates against a private helicopter pad it can unquestionably introduce additional noise to an area. The applicant maintains flights should generally be limited to a few per day and few, if any, in the evenings. They also suggest that such flights would probably blend with the existing ambient noises of I-405 and the airport. They also suggest it would reduce traffic trips. The suggested reduction in traffic both staff and the applicant mention resulting from approving a helicopter pad is definitively overblown. One helicopter will hardly reduce the traffic impacts when more than 1,200 additional vehicle trips are predicted for the P.M. peak rush hour and a somewhat smaller number would occur in the A.M not to mention all the mid-day traffic. The comprehensive plan juxtaposes single family residential uses east and south of the commercially zoned subject site in areas topographically above the subject site. The proposed helicopter pad will expose those generally less intense uses to even more urban hubbub than exists from the intrusive I-405 and the more remote but still present airport and flight path.
- 14. Community need for such a facility is obviously hard to determine. The helicopter pad and service at Valley Medical Center clearly serves a community need. A private helicopter less so. There is no over-concentration of such uses in the area. The airport is remote from this site.
- 15. Until the helicopter pad is active and operating this office cannot find that there will be no undue impacts on adjacent property. The landing and takeoff noises as well as flight might create undue impacts. Therefore, it seems appropriate to allow the use but subject to a condition for a review after it has been operating for a year at which time a new public hearing would be held to determine if the use is an appropriate conditional use for this site. Again, it cannot be determined at this time whether the use would create undue impacts.
- 16. The use would be contained on the roof of TT5 and would not be out of scale with other uses, it should require no yards, although, there will be flight-space requirements. Parking, traffic, landscaping and urban services are addressed in the review of the Master Site Plan.
- 17. The applicant has asked for approval of the Master Site Plan for five (5) years rather than the customary two (2) years. Given the scope of the project, four new towers and four parking garages, and the state of the economy, it appears appropriate to approve the project for five years. Also while the applicant has shown some specific phasing details they have requested that some flexibility be available. The phasing should not be cast in concrete but each phase must contain appropriate resources or infrastructure such as parking, garbage and recycling to meet code requirements as if that phase were standalone.
- 18. In conclusion, the proposed Master Site Plan and associated Parking Modification and Conditional Use

permit are appropriate given the conceptual nature of the proposal at this point. Obviously, the plan will undergo refinements in detail including existing suggestions by staff and this office at this point and then as specific phases are submitted and permitted. Currently, the plan lacks lighting details, landscaping details, parking stall details and more information on exterior materials generation of light, glare or reflection on I-405 and the nearby residential uses. In the main, the plan will contribute to the goal of making this area a focal point for urban intensity and new urban forms.

DECISION:

The Master Site Plan and Parking Modification are approved for a Five (5) Year period.

The Conditional Use Permit is approved for One (1) year after the helipad begins operating and shall be subject to a full, independent and new Condition Use Permit review to be scheduled as soon as practical after a year of operation.

The following conditions shall apply to the proposal:

1. The applicant shall comply with the 9 mitigation measures issued as part of the Determination of Non-Significance Mitigated, dated August 2, 2010.
2. The applicant shall evaluate the feasibility of including retail services on the ground floor that support the office development, at Site Plan Review Stage.
3. The applicant shall provide public amenity features such as a plaza, park, recreation area, open space, or other feature as approved by the Current Planning Project Manager, to be included at Site Plan Review stage for each phase of the project.
4. Parking garage D shall be set back an additional 10-feet and screening landscaping shall be provided between the structure and the sidewalk or architectural detailing shall be provided along the front and east façade of the parking garage to screen the building from the sidewalk, public right-of-way, and surrounding properties. Updated Parking Garage D elevation drawings shall be submitted at Site Plan Review, for Phase 5 of the project, for review and approval by the Current Planning Project Manager.
5. The applicant shall submit a conceptual landscape plan prepared by a licensed Landscape Architect or other certified landscape professional that complies with RMC 4-8-120D. The revised conceptual landscape plan shall be submitted to and approved by the Current Planning Project Manager as a part of Site Plan Review for each phase of the development.
6. The applicant shall provide a detailed parking lot plan identifying compact, standard, and parallel stall dimensions, aisle widths, parking angles where applicable, and ADA spaces at a ratio of 2% of the total spaces for each phase of the development at Site Plan Review.
7. The applicant provided sufficient space for refuse and recycling for each proposed phase of the development, for review and approval by the Current Planning Project Manager, at Site Plan Review.
8. The applicant shall provide a screening detail for rooftop mounted equipment, including materials and color for review and approval by the Current Planning Manager, at Site Plan Review Stage for each phase of the development.
9. Pedestrian walkways and crosswalks shall be clearly identified throughout the site by the use of different materials and colors then used for the parking lot surface and drive aisles. A

- pedestrian circulation plan shall be submitted at Site Plan Review stage, identifying materials and colors proposed for pedestrian pathways and crosswalks throughout the site, for review and approval the Current Planning Project Manager.
10. The applicant shall redesign the parking garages to provide pedestrian exits on the north, south, and west sides of the structure. An updated Ground Floor plan for parking garages A - C shall be submitted at Site Plan Review stage, for each phase of the project, indentifying the required additional pedestrian exits.
 11. The applicant shall be required to submit a lighting plan subject to review and approval by the Current Planning Project Manager prior to building permit submittal. The lighting plan shall depict the type of lighting proposed, the direction of the lighting, and the location of all of the exterior lights.
 12. The combined A, B and C parking garage shall receive additional detailing and possibly modulation and/or vertical elements to mitigate it 5-story bulk.
 13. The Conditional Permit shall be limited to an initial one (1) year of operation and then be subject to a new Conditional Use review after it has been operating for a year at which time a new public hearing will be held to determine if the use is an appropriate conditional use for this site.
 14. The phasing may be altered but each phase must contain appropriate resources or infrastructure such as parking, garbage and recycling to meet code requirements as if that phase were standalone.

ORDERED THIS 2nd day of September 2010.

FRED J. KAUFMAN
HEARING EXAMINER

TRANSMITTED THIS 2nd day of September 2010 to the following:

Mayor Denis Law
Jay Covington, Chief Administrative Officer
Julia Medzegian, Council Liaison
Gregg Zimmerman, PW Administrator
Alex Pietsch, CED Administration
Jennifer Henning, Current Planning Mgr.
Stacy Tucker, Planning Division
Marty Wine, Assistant CAO

Dave Pargas, Fire Marshal
Larry Meckling, Building Official
Planning Commission
Transportation Division
Utilities Division
Neil Watts, Development Services
Janet Conklin, Development Services
Renton Reporter

Pursuant to Title IV, Chapter 8, Section 100 of the City's Code, **request for reconsideration must be filed in writing on or before 5:00 p.m., September 16, 2010.** Any aggrieved person feeling that the decision of the Examiner is ambiguous or based on erroneous procedure, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonably available at the prior hearing may make a written request for a review by the Examiner within fourteen (14) days from the date of the Examiner's decision. This request shall set forth the specific ambiguities or errors discovered by such appellant, and the Examiner may, after review of the record, take further action as he deems proper.

An appeal to the City Council is governed by Title IV, Chapter 8, Section 110, which requires that such appeal be filed with the City Clerk, accompanying a filing fee of \$250.00 and meeting other specified requirements. Copies of this ordinance are available for inspection or purchase in the Finance Department, first floor of City Hall. **An appeal must be filed in writing on or before 5:00 p.m., September 16 2010.**

If the Examiner's Recommendation or Decision contains the requirement for Restrictive Covenants, the executed Covenants will be required prior to approval by City Council or final processing of the file. You may contact this office for information on formatting covenants.

The Appearance of Fairness Doctrine provides that no ex parte (private one-on-one) communications may occur concerning pending land use decisions. This means that parties to a land use decision may not communicate in private with any decision-maker concerning the proposal. Decision-makers in the land use process include both the Hearing Examiner and members of the City Council.

All communications concerning the proposal must be made in public. This public communication permits all interested parties to know the contents of the communication and would allow them to openly rebut the evidence. Any violation of this doctrine would result in the invalidation of the request by the Court.

The Doctrine applies not only to the initial public hearing but to all Requests for Reconsideration as well as Appeals to the City Council.